PROCEEDINGS - 10/19/2016

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                        APPEARANCES
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   Board Members:
   Jesse Geller, Chairman
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 4
  Lark Palermo
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   Kate Poverman
   Johanna Schneider
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   Town Staff:
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   Alison Steinfeld, Planning Director
10
   Maria Morelli, Senior Planner
11
12
   Traffic Peer Reviewer:
13
   James Fitzgerald, P.E., LEED AP, Director of
14
    Transportation, Environmental Partners Group
15
16
   Applicant:
17
   Victor Sheen, 420 Harvard Associates, LLC
18
   Dartagnan Brown, Principal, EMBARC Studio, LLC
19
   Bob Engler, President, SEB
20
   Scott Thornton, Vanasse & Associates, Inc.
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Members of the Public:
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    Tom Gunning, 39 Fuller Street
   Kailey Bennett, 12 Fuller Street
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   Julie Palmer, 48 Coolidge Street
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   Karen, Babcock Street
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1	PROCEEDINGS:
2	7:03 p.m.
3	MR. GELLER: Good evening, everyone. We are
4	reconvening our 40B comprehensive permit hearing. This
5	is on 420 Harvard Street. For the record, my name is
6	Jesse Geller. To my immediate left is Kate Poverman,
7	to my immediate right is Johanna Schneider, to
8	Ms. Schneider's right is Lark Palermo.
9	Tonight's hearing will be dedicated to the
10	following: We will hear an update from the applicant.
11	I understand there have been some refinements that you
12	will be sharing with us. We will also have a response
13	from their traffic consultant.
14	There were a number if people will recall,
15	at our I don't know if it was the last hearing.
16	What was the last hearing?
17	MS. MORELLI: We had traffic.
18	MR. GELLER: We had traffic. Okay.
19	There were a number of questions that were
20	asked by our peer reviewer, and the applicant has
21	responses to the issues that were raised. We will then
22	hear from our peer reviewer, Mr. Fitzgerald, in
23	response. And then we will have an opportunity to hear
1	

24 from the members of the public who want to offer

- 1 testimony.
- 2 As I've said in the past, what I would ask you
- 3 to do is listen to what other people have to say. If
- 4 you agree with them or don't have anything new to add,
- 5 just point at them and say you agree with them. If you
- 6 have something that has not been said before or offered
- 7 into testimony, please, we do want to hear it. Keep in
- 8 mind that tonight's purpose for testimony should be
- 9 limited to the things that we are reviewing tonight,
- 10 largely traffic.
- 11 For the record, also, tonight's hearing is
- 12 being recorded and there is also a transcript that is
- 13 being taken. Those transcripts are available at the
- 14 planning department's website as well as submittals by
- 15 members of the public and other interested parties such
- 16 as town departments. So if you want to get copies of
- 17 the record of this hearing from the beginning of time,
- 18 you're able to do so, and you can also get all the
- 19 correspondence and other materials. They are also
- 20 available to you.
- 21 Any other announcements?
- No. Okay. Next hearing date?
- MS. MORELLI: November 2nd.
- MR. GELLER: So our next hearing date on this

- 1 matter will be November 2nd, same time, 7:00 p.m. or
- 2 sort of close to 7:00 p.m.
- 3 I'd like to call on the applicant now.
- 4 MR. BROWN: Thank you, Mr. Chairman and
- 5 members of the board. Dartagnan Brown, architect from
- 6 EMBARC.
- 7 So we've brought just a couple slides -- so
- 8 we've brought a couple of slides with us tonight.
- 9 we've done, spending some time with the peer reviewer
- 10 and staff, is looked at the traffic, specifically how
- we interact off of Fuller Street. 11
- 12 So the main thing to note, what we really
- 13 focused on, is the ramps coming in and out of Fuller.
- And part of the slope and the issues we had around kind 14
- 15 of the transition points of the ramp coming up was the
- 16 depth of the basement that we had to get to accommodate
- 17 the accessible van spots.
- 18 What we've done, working with Cliff, the peer
- 19 reviewer, is we thought we could actually take the
- 20 accessible spot that's required and put it up here off
- 21 on the side and have the aisle kind of overlapping the
- 22 loading zone so we still maintain a very clear loading
- 23 zone. There is an ADA van spot here. This meets the
- 24 12 by 30 foot for the loading zone. It shares, as we

- 1 had before, a loading vestibule to the elevator. What
- 2 that allows us to do is lift the basement slab up about
- 3 14 inches, and that greatly helps us kind of reshape
- 4 the pitch of the driveway, which I'll show you in a
- 5 minute.
- In addition to that, kind of working with the
- 7 curbs here, we were able to tighten up the width of the
- 8 driveway to get it to be 10 foot. We have a 2-foot
- 9 strip for the building structure above, and then,
- 10 again, the accessible spots for loading.
- 11 Things we've noted here -- I'm going to show
- 12 you in a little more detail -- is talking about the
- 13 transition across Fuller, the discussion on whether
- 14 it's all flush with the sidewalk or stepped. I think
- 15 we all came to the consensus that actually having a
- 16 change in elevation as you're walking is a clear signal
- 17 that something is happening. What we -- beyond kind of
- 18 the signaling lights that we have on either side of the
- 19 post, we're looking at putting in kind of the yellow,
- 20 dotted ADA ramps that would work with the slopes so as
- 21 somebody's walking down, they could either see it,
- 22 they'd feel it on their foot. So it addresses a lot of
- 23 that, and then it makes a clear signal for a change
- 24 happening at this point.

- 1 We've also noted that we will -- and we've put
- 2 on the drawings -- that we will heat the driveway to
- 3 alleviate the concern about snow buildup and a slippery
- 4 surface coming up during the wintertime.
- 5 And then something else we're looking at and
- 6 working with our traffic consultant is do we put in
- 7 some sort of steep -- or transition strip that as
- 8 you're pulling up the driveway coming up the slope to
- 9 exit, there's a designation, you know, to keep traffic
- 10 slow.
- 11 And I think if we go to the next slide,
- 12 Victor -- so down below, what we've done by changing
- 13 the slope of the ramp and adjusting the building
- 14 structure is we've allowed for a much greater
- 15 maneuverability coming into the garage. Scott, our
- 16 traffic engineer, has worked on all of the clearances
- 17 required so the building structure has been adjusted to
- 18 allow a clean turning radius. The middle aisle that
- 19 extended further down has been pulled back to help add
- 20 turning radius to that. I think we can share these
- 21 documents, but the structure has been reflected to
- 22 accommodate that.
- 23 There's been some clarifications on the
- 24 location of the commercial parking; four shaded in the

- 1 yellow just within this building, and then four other
- 2 tandem next to 49 Coolidge are the other four spots.
- 3 And I think the next slide -- so this is --
- 4 for everybody's benefit, we've just blown up this
- 5 section of the garage to really look at how that works.
- 6 So one thing to note is: Before, coming off of Fuller,
- 7 we had only a 10-foot transition at the 8 percent slope
- 8 and then it transitioned to the 16 percent and then
- 9 back to the 8 percent. What we've been able to do, by
- 10 lifting up the garage height, is actually allow for a
- 11 20-foot length at the shallow 8 percent.
- 12 So the thought, again, is that when a car is
- 13 coming up -- you know, we've denoted midway that
- 14 there's some sort of speed indicator. When you come up
- 15 to the top, you've actually got the full length of the
- 16 car on the shallow ramp. So before, half of it was on
- 17 16 and half of it was on 8. Now the whole thing is on
- 18 the 8 percent. So we feel that that helps drop the
- 19 sight line down, safer to exit. Again, coupled with
- 20 the heated ramp, we all feel it's kind of working
- 21 towards getting a better discharge onto the street.
- Here, as I noted, this is kind of a sample of
- 23 the yellow ADA bump ramps that would be on either side
- 24 to help designate the exit.

- 1 So that was really our update on strategy
- 2 around that.
- 3 MR. GELLER: Thank you.
- 4 Questions?
- 5 MS. POVERMAN: Why doesn't everybody ask first
- 6 today.
- 7 MR. GELLER: I actually do have a few
- 8 questions. Can you go to the slide that indicates the
- 9 turnaround -- 180-degree turnaround.
- 10 So let's assume that there's a vehicle going
- 11 down, coming up, or that a car needs access to a tandem
- 12 space, essentially, that you have a queuing issue
- 13 within the garage. Where do vehicles go?
- MR. BROWN: Scott, do you want to jump in and
- 15 help?
- Because Scott's been studying -- I think he
- 17 can address the maneuverability. It would be a little
- 18 bit more sophisticated than myself.
- MR. THORNTON: For the record, Scott Thornton
- 20 with Vanasse & Associates.
- 21 You know, what Dartagnan mentioned
- 22 regarding pulling the median back in this area helps to
- 23 improve the maneuverability in here. I think also,
- 24 something that your peer reviewer mentioned about

- 1 putting some type of mirror or some other device to
- 2 alert people that vehicles are coming through this area
- 3 is going to be -- it's going to assist them in
- 4 maneuvering through there.
- 5 The other thing is there's not -- you know,
- 6 it's -- this isn't a hundred-unit development, so it's
- 7 kind of like a thousand-year-storm event that you're
- 8 talking about. I think there's a potential for that
- 9 type of event to occur, and if so, you may have one
- 10 vehicle that waits on the ramp to enter while you have
- 11 another vehicle that gets out of the parking space in
- 12 question and then circulates through the garage to get
- 13 out.
- 14 MR. GELLER: What about a vehicle that is
- 15 parked within the garage in the tandem spaces on the
- 16 Fuller Street side? See down -- No. 22, those spaces.
- 17 So they're going to pull out. And even if you add a
- 18 mirror at the turn, they're not going to see anything
- 19 and they'll pull through, right, to the narrow -- to
- 20 where it narrows. You see where I'm going?
- 21 MR. BROWN: Yeah. One thing we are looking
- 22 to -- which we have to just kind of start working with
- 23 the structural engineer -- is understand this pivot
- 24 point right here, which we may not need that wall to go

- 1 all the way down. Because this is going to be a
- 2 structured deck, we may be able to have a section from
- 3 here to here be open because at that point you're down
- 4 at the low end of the ramp. We may have just a curb
- 5 that prevents cars from slipping off, but the sight
- 6 line can be open so if you're driving down at this
- 7 point, you're going to see across this way as well.
- 8 MR. GELLER: That's exactly the issue.
- 9 Because you want to be able to -- if there's a car
- 10 coming down, you want to be able to stop before you get
- 11 to the pinch point.
- MR. BROWN: Exactly, right. And I think we'll
- 13 definitely keep that in the back of our mind as we
- 14 start getting into structural engineering, just as we
- 15 did here. Because at this point we felt comfortable
- 16 pulling back, but this, I think we want to get an
- 17 engineer involved to see how much of that -- ideally it
- 18 stops here at this point, and then from here to here
- 19 it's more of a low curb that helps transition in the
- 20 ramp to the flat surface but visually open.
- MR. GELLER: Okay.
- MS. POVERMAN: So is it anticipated that both
- 23 up and down of the driveways will be heated?
- MR. BROWN: Correct.

- 1 MS. POVERMAN: Okay. And I know there's been
- 2 a lot of concern about the angles of the driveway.
- 3 Have you seen or can you point us to examples where
- 4 there have been similar slopes in driveways that have
- 5 been successful that could ease some of these concerns?
- 6 MR. BROWN: I can try to put together a list.
- 7 I'd have to go measure them. I don't know if -- we
- 8 talked about, kind of, the traffic standards around
- 9 what is allowable. So separate of us thinking about
- 10 that, we spoke to Cliff, the peer reviewer, and he
- 11 actually felt comfortable doing up to 20 percent
- 12 himself to this project. So, you know, in talking with
- 13 Scott, 20 is kind of a max for the mid section. We're
- 14 at 16 and again we're at 8.
- So I can certainly -- I'd have to put together
- 16 a list of buildings. I know typically in more of a
- 17 downtown garage they are much steeper. We're not
- 18 trying to replicate that here, but I can -- we can
- 19 definitely push on trying to get a list of that.
- MS. POVERMAN: Well, even just a couple of
- 21 examples reassuring it would be -- yeah, this is not
- 22 just, you know, creating the most dangerous slope that
- 23 the world's ever seen but, in fact, it's worked
- 24 successfully in the past. That would be great.

- 1 MS. MORELLI: At 111 Boylston Street, we have
- 2 a hotel that was constructed on Route 9. They have a
- 3 slope of 19 percent. That's after the 20-foot
- 4 step-back.
- 5 MS. POVERMAN: Do they have a similar --
- 6 MS. MORELLI: Yeah. We could actually give
- 7 you some plans to show you what that looks like, but
- 8 our zoning has 8 percent for the first 20 feet, and
- 9 after that it's 19.
- 10 MR. BROWN: And this all falls within the
- 11 allowed slope by code, so we're not trying to bypass
- 12 that 20. We're again, at 16 percent.
- MS. SCHNEIDER: Maria, is what you're
- 14 saying -- what they're proposing right now, since the
- 15 slope complies with zoning, they don't need a waiver?
- MS. MORELLI: Yes. The first 20 percent of
- 17 8 percent does comply with zoning.
- 18 MR. BROWN: First 20 feet.
- MS. MORELLI: The first 20 feet at 8 percent
- 20 complies.
- 21 MS. POVERMAN: And then what does -- does
- 22 anything else not comply with zoning in the driveway?
- 23 MS. MORELLI: The first 20 feet from the
- 24 property line has to be no greater than 10 percent.

- 1 That's what the bylaw states. It doesn't say anything
- 2 after that.
- 3 MS. POVERMAN: Okay. Great.
- I have a question based on the slide before
- 5 this. So I see that there's now a stairway on the
- 6 Harvard Street side of the building. Is that a little
- 7 door poking up?
- 8 MR. BROWN: Yes. And we've had that, I think,
- 9 previously as well. That was in the full package.
- 10 MS. POVERMAN: Okay. I think it's great. I'm
- 11 just asking.
- 12 MR. BROWN: Yeah. So this is the two
- 13 residential egresses, so one has to go out to street.
- 14 And in the prior scheme before, we looked at shifting
- 15 it back. That is designated on the elevation. That's
- 16 where we had kind of a sign and the fire tie-in.
- MS. POVERMAN: So it's mainly an exit, not an
- 18 entrance?
- 19 MR. BROWN: Correct.
- 20 MS. POVERMAN: Okay. That's it. Thank you.
- 21 MR. GELLER: Thank you.
- MR. THORNTON: So did you want to hear the
- 23 project's responses to the initial peer review?
- 24 MR. GELLER: Do the board members need to hear

- 1 all of the responses?
- 2 MS. PALERMO: I've read them.
- 3 MS. POVERMAN: I've read them, but I have
- 4 questions about some of the methodology in the Vanasse
- 5 report.
- 6 MR. GELLER: That's fine.
- 7 MS. POVERMAN: As you might expect.
- 8 MR. GELLER: Let me first ask: Is there
- 9 anything in particular that, in addition to the
- 10 materials that we've already read, you want to enter
- 11 into the record?
- MR. THORNTON: No, no. I was just thinking
- 13 about the easiest way to facility the discussion. I
- 14 didn't know if you wanted to hear our responses to your
- 15 peer reviewer's initial comments and then hear your
- 16 peer's comments or responses to our responses to his
- 17 comments.
- 18 MR. GELLER: No. We've seen that sort of laid
- 19 out in our peer reviewer's responses. I think that,
- 20 just sort of jumping forward, based upon what I assume
- 21 we're going to hear from peer review, there may be some
- 22 further discussion that needs to take place at this
- 23 hearing afterwards to get to some readily available
- 24 answers or maybe determine that there aren't readily

- 1 available answers.
- 2 But I think that if you don't have anything
- 3 further to add, then we can roll to questions from the
- 4 members, if they have any, to your portion of the peer
- 5 review -- or the report.
- 6 MS. SCHNEIDER: May I just ask one question?
- 7 Have you received a copy of our peer reviewer's report?
- 8 MR. THORNTON: Yes.
- 9 MS. SCHNEIDER: And have you had time to look
- 10 through it so that if we're talking about these things,
- 11 we can have a conversation about that tonight?
- 12 MR. THORNTON: Sure.
- MS. SCHNEIDER: Okay.
- 14 MS. POVERMAN: Okay. So tell me if I'm
- 15 getting the cart before the horse in terms of asking
- 16 certain things.
- 17 So again, it's going to be an educational
- 18 process, and I apologize for the length of time that it
- 19 may take.
- 20 So on the first page -- wait. Hold on a
- 21 minute. My jewelry is really upset about this.
- Okay. So on Comment 1, you were looking at
- 23 the data from the police department relating to the
- 24 accidents that have happened in the neighborhood.

- 1 MR. THORNTON: Right.
- 2 MS. POVERMAN: And one of the things I was
- 3 confused about is that the time period for review --
- 4 from the original review was, I think, 2010 to 2014,
- 5 and here the paragraph says that a total of 21 crashes
- 6 were identified from January 2015 to date. However, if
- 7 you go to the underlying data, it starts in 2014.
- Let's see. I guess that's here. So I'm just wondering 8
- 9 which is the relevant underlying data.
- 10 MR. THORNTON: So that's a typo.
- 11 MS. POVERMAN: Okay.
- 12 MR. THORNTON: Should have been January 2014.
- 13 MS. POVERMAN: Okay.
- 14 MR. THORNTON: And what's readily available to
- 15 consultants in terms of crash data is data that's been
- 16 provided by police departments to the Registry of Motor
- 17 Vehicles. That data is then processed and given to the
- 18 Mass. Department of Transportation. And that data, we
- 19 can just go and pick it off of the web. And the issue
- 20 with that is that they only have -- there's usually a
- 21 lag. There's usually a one- to two-year lag in the
- 22 data that's available.
- 23 Conversely, what we found is that a lot of
- 24 police departments have the data -- the more recent

- 1 data readily at their fingertips and they don't have
- 2 access to the older data. So when we ask for data for
- 3 that same time period, it -- sometimes it causes issues
- 4 and it's harder for them to pull that up.
- 5 So what we did is we just asked for the most
- 6 recent three years from the town, from the police
- 7 department, and there was one year in common. That was
- 8 just 2014. And then the 2015 or 2016 data was new, and
- 9 that's not in the state files, so that's why there's a
- 10 difference. And I apologize for the typo.
- 11 MS. POVERMAN: Why would they not have data on
- 12 older data -- or access to older data?
- 13 MR. THORNTON: Sometimes it -- you know,
- 14 there's a multitude of reasons. Some towns, they put
- 15 it out to a different vendor, crashdata.com. Sometimes
- 16 there's translation issues when they're sending that
- 17 data out and they don't -- they no longer have it in
- 18 their system. And I don't know that to be the case. I
- 19 just assumed that rather than -- because we were
- 20 working under a tight time frame, I just wanted to -- I
- 21 assumed that they would have access to the most recent
- 22 three-year period, so that's what I requested.
- 23 MS. POVERMAN: You didn't ask for the data to
- 24 cover the period you previously covered from 2010 to

- 1 '14?
- 2 MR. THORNTON: No. I thought the 2014 year
- 3 would be enough of an overlap.
- 4 MS. POVERMAN. Okay. So going back to the
- 5 report, your first paragraph -- no. I'm sorry. One
- 6 problem with going with the peer reviewer and the new
- 7 original report is ...
- 8 Okay. So in the first paragraph of your
- 9 response, you say that a total of twenty-one crashes
- 10 were identified for -- to date. Only four crashes were
- 11 significant enough to require an official police
- 12 report. None of these occurred at the Harvard/Fuller
- 13 Street intersection, and one occurred at the
- 14 Harvard/Coolidge Street intersection.
- Now, you're not saying that there weren't any
- 16 accidents at those intersections, just that those are
- 17 the ones that didn't require official police reports;
- 18 is that correct?
- 19 MR. THORNTON: That's correct.
- 20 MS. POVERMAN: Because, in fact, that were
- 21 seven accidents at the Fuller Street/Harvard Street
- 22 intersection and five at the Coolidge.
- 23 MR. THORNTON: Correct. And the difference is
- 24 that if a police report is filed, that means a police

- 1 officer -- the damage was deemed significant enough or
- 2 there happened to be a police officer there and so the
- 3 police officer responded and filled out a report.
- 4 The other crashes where there's just abstracts
- 5 available are when somebody might have observed -- or
- 6 they might have come out and seen that their car was
- 7 hit while it was parked, and they've gone to the police
- 8 department to fill out a report.
- 9 MS. POVERMAN: Okay, great.
- 10 Okay. So you say that even with the increase
- 11 in calculations, the crash-rate calculation remains
- 12 significantly lower than the statewide and local
- 13 district averages. What are those?
- MS. MORELLI: That's Jim's comment. If you
- 15 look at italics in Jim's report --
- MS. POVERMAN: Okay.
- 17 Oh, you know, one thing -- and I apologize if
- 18 Jim picked this up as well -- is in terms of reviewing
- 19 the commuting to work, etc., expectation of having the
- 20 trips for the retail entity at the site, you say your
- 21 expectation is that the retail use is more of a local
- 22 attraction with trips made from the neighborhood and
- 23 adjacent shops and uses, not a long-distance
- 24 destination requiring a trip via automobile.

- I can tell you that I live a mile away, and
- 2 that's a trip for me via automobile. It may not be for
- 3 everyone, but I'd say the local neighborhood is this
- 4 group here and very well -- you know, they'll do a lot
- 5 of walking. But for the rest of Brookline on the other
- 6 side of Coolidge Corner or whatever, they're going to
- 7 be driving there, so I'm wondering what sort of factual
- 8 basis there is to that assumption.
- 9 MR. THORNTON: One issue that we've found in
- 10 working with areas where there's a neighborhood retail
- 11 or commercial is that there's not a lot of data out
- 12 there that identifies how much of it is just a walking
- 13 trip, how much of it is a pass-by trip, something
- 14 that's pulled from traffic that's passing through the
- 15 area, someone just pulls over. You know, they're on
- 16 their way to someplace else. They pull over and go in
- 17 to some shop. Or how many of those trips are just made
- 18 from -- purely from walking, from someone who lives in
- 19 the area or someone that works nearby and goes to this
- 20 site.
- 21 What we do know is that the City of Cambridge
- 22 had done some monitoring survey of retail patrons in
- 23 the Central Square and Kendall Square area, and what
- 24 they determined was that there's about a 35 percent

- 1 portion of traffic that comes from just driving to
- 2 these -- some of these retail shops in the same area,
- 3 the same type of area. Maybe a little more built up
- 4 than the Coolidge Corner area, but similar in nature.
- 5 So that translates to a 65 percent reduction in retail
- 6 trips for the trips made outside of an automobile. So
- 7 it's not a perfect analogy, but it's something that we
- 8 feel is representative of what could happen here.
- 9 And I agree with you. I don't think everybody
- 10 that goes to this type of retail -- because of the size
- 11 of it, you know, I'm sure some people are going to
- 12 drive there, but I don't think everyone's going to.
- 13 MS. POVERMAN: Is it safe to assume that
- 14 people going to a real estate place would most likely
- 15 drive there and not just be people living in the
- 16 neighborhood?
- 17 MR. THORNTON: Could be.
- MS. POVERMAN: Okay. Going to your Comment 7
- 19 that was made about traffic generated by minor retail
- 20 use is anticipated to peak -- this is page 5 -- on
- 21 Saturdays, and traffic counts and evaluations of the
- 22 site-generated traffic were not provided for Saturday
- 23 mid-day peak hour.
- 24 And the comparison you made was of evening

- 1 and a.m. traffic with an intersection showing that the
- 2 -- which concluded that the mid-day traffic was not as
- 3 heavy as commuter traffic. But this intersection was
- 4 at Hammond Street and Route 9. Do you really think
- 5 that is an apt comparison?
- 6 MR. THORNTON: Well, it happens to be the most
- 7 recent data that we were able to find in this area that
- 8 had all three time periods under consideration.
- 9 I think the other thing -- we also found some
- 10 data for another counter in the Brookline area, and
- 11 basically what it's saying is that the Saturday volume
- 12 is lower than -- the Saturday mid-day volume is lower
- 13 than the weekday morning and the weekday evening.
- So all we're really trying to say is that it's
- 15 not going to -- the Saturday -- while the retail
- 16 traffic may peak -- and if you look at the -- on
- 17 page 3, you've got the breakdown of the trip -- traffic
- 18 generation for the different possible retail land-use
- 19 codes, and the difference between Saturday mid-day and
- 20 the weekday evening is about two trips over the course
- 21 of an hour.
- 22 So all we're saying is we don't -- you know,
- 23 we think that, sure, maybe two trips higher on Saturday
- 24 mid-day, but it's likely that the street volume is

- 1 going to be lower, so it's basically a wash. So you're
- 2 not going to -- so based on that, the evening -- the
- 3 Saturday mid-day time period and any analysis wouldn't
- 4 show any different results -- or wouldn't show any
- 5 worse results than the weekday evening or the weekday
- 6 morning.
- 7 MS. POVERMAN: Okay.
- 8 MR. GELLER: Did you take direct traffic
- 9 counts on Saturday?
- 10 MR. THORNTON: No.
- 11 MS. SCHNEIDER: Can I ask a question? I'm
- 12 sorry. I don't want to cut you off, but it sounds like
- 13 some of these questions -- maybe we want Jim to testify
- 14 first and then --
- MS. POVERMAN: I don't think Jim addresses it
- 16 entirely. This is just -- because I did look through
- 17 both. So I can ask this question and then we can go
- 18 back to it. But one is -- I'm trying to make sure that
- 19 the data we're getting is relevant data.
- 20 MS. SCHNEIDER: I know. But I'm just
- 21 wondering -- again, I don't want to stop you, and I'll
- 22 shut up in a second, but I just wonder if having our
- 23 own peer reviewer weigh in in the context of the
- 24 questions also might be helpful to us because he knows

- more about this than any of us.
- 2 MS. POVERMAN: Okay. Let me ask one more
- 3 question.
- 4 MS. SCHNEIDER: You can ask as many questions
- 5 as you want. He's here, so I just wonder --
- 6 MS. POVERMAN: T know.
- 7 So the bottom of page 5 says, "In addition,
- data from the nearest continuous traffic-volume 8
- 9 counter 1 was obtained that indicates Saturday volumes
- 10 represent approximately 1 percent of the average
- 11 weekday volume at this location. This information is
- 12 provided in the appendix."
- 13 Where was that traffic-volume counter?
- MR. THORNTON: That was on the Mass. Pike. 14
- 15 MS. POVERMAN: So you really think that's
- relevant to what's happening in this location? 16
- 17 MR. THORNTON: Again, it demonstrates the
- 18 relationship of the Saturday volume in the area to the
- 19 morning and evening peak hours.
- 20 MS. POVERMAN: You do know that the Mass. Pike
- 21 goes straight by this area?
- 22 MR. THORNTON: I do.
- 23 MS. POVERMAN: Okay. I would just say it's
- 24 not a relevant comparison.

- 1 MR. GELLER: You're not offering testimony.
- 2 He is.
- 3 MS. POVERMAN: Well, I'm just saying that I
- 4 have a problem with the underlying data in his report.
- 5 Okay. I will stop.
- 6 MS. SCHNEIDER: But I think this is just one
- 7 of those places where Jim can tell us, for example, is
- 8 this industry standard? Is this how a responsible
- 9 traffic engineer would look at it and --
- 10 MS. POVERMAN: Okay. That's a very good
- 11 point.
- 12 Okay. Thank you.
- 13 MR. GELLER: Anybody else?
- 14 (No audible response.)
- 15 Okay. Thank you.
- 16 Let's switch over now to Jim Fitzgerald from
- 17 Environmental Partners who is going to offer his peer
- 18 review on those responses.
- 19 MR. FITZGERALD: Thank you. Again, my name is
- 20 Jim Fitzgerald. I'm with Environmental Partners Group.
- 21 And so we had gone through Vanasse & Associates'
- 22 responses to our comments dated October 13, 2016, and
- 23 I'll just run through the highlights of them.
- So first of all, having to do with accident

- data, originally the applicant had provided crash data
- 2 from MassDOT, which sometimes isn't the most accurate,
- so, again, they provided additional input from the 3
- 4 police department. Based on the years that were
- 5 provided, there were about three years, almost, of data
- 6 that were provided showing a slight increase in crashes
- 7 from what was previously presented.
- 8 Originally, at Harvard at Fuller, for
- 9 instance, the crash rate -- there were approximately
- 10 1.6 crashes per year on average. With the police
- 11 department data incorporating all types of accidents,
- minor and major, it increases to about 2.3 accidents 12
- 13 per year on average.
- 14 When you equate the number of crashes to the
- 15 amount of traffic that travels through the
- intersection, it continues to show that there are 16
- 17 substantially less -- fewer accidents -- a lower crash
- 18 rate at this intersection than on average throughout
- 19 the state and district average. So this would indicate
- that there's not -- the crash data is not necessarily 20
- 21 indicating a safety deficiency at the location.
- 22 The same was the case with the
- 23 Harvard/Coolidge intersection with actually fewer
- accidents. So instead of three crashes over five 24

- 1 years, we find there are five crashes in three years.
- 2 Although there is an increase in the crash rate from
- 3 what was previously presented using the MassDOT crash
- 4 data, the crash rate is still substantially lower than
- 5 the district or statewide average.
- 6 And when I say "lower," at the Harvard/Fuller
- 7 intersection, the crash rate is practically half, maybe
- 8 a little higher than half of the statewide average for
- 9 a signalized intersection of Harvard at Fuller. For
- 10 Harvard at Coolidge, unsignalized, the crash rate is,
- 11 again, just over half, maybe two-thirds of the
- 12 statewide average.
- We had commented on -- we had questioned how
- 14 the background traffic was generated in establishing
- 15 the future no-build scenario. That would be the
- 16 projected traffic volumes that anticipate no
- 17 development at this site. And so the applicant had
- 18 included background growth as well as anticipated
- 19 volumes from four developments.
- 20 Our question was: Could we please have that
- 21 backup to verify this no-build traffic network. And
- 22 that was provided to us, and it seemed to be somewhat
- 23 reasonable. If anything, it was conservatively high in
- 24 that the trips generated by VAI for these developments

- 1 did not anticipate alternative modes of transportation.
- 2 In other words, they assume that 100 percent of the
- 3 trips were going to be in a vehicle and nobody would
- 4 walk or use transit, etc. So again, those were high,
- 5 but conservatively so, so were good.
- 6 When it comes to the reduction used to trip
- 7 generation relative to the retail component of this
- 8 development, they originally carried a blanket
- 9 54.7 percent reduction, as they had with the apartment
- 10 usage, and so we had questioned that.
- The additional information that they provided
- 12 references Kendall Square, finding that, based on
- 13 Kendall Square, there are even -- there is even a
- 14 smaller percentage of vehicle trips that are being
- 15 experienced there, and as a result, that's why we felt
- 16 that their original assumption that VAI had used, the
- 17 54.7 percent, seemed to be reasonable for the retail
- 18 usage.
- 19 Ultimately, when it comes to the retail trips,
- 20 that is really a minor component of this development
- 21 given the -- based on what we understand the square
- 22 footage of that retail space to be. VAI identified in
- 23 this response to our comments that the current plan is
- 24 2,106 square feet of retail space. We don't

- 1 necessarily see that on the plan, but we're assuming
- 2 that's still accurate, so that was one of our
- 3 comments -- or questions.
- 4 Based on that square footage, VAI has updated
- 5 the traffic network and reevaluated the two
- 6 intersections that they had studied, both of which
- 7 continue to show a negligible difference in operation
- 8 from the future no-build model to the future build
- 9 model. There was only a one-second increase in delay
- 10 during the morning peak hour along the eastbound Fuller
- 11 Street approach with or without the development.
- 12 That's not to say that by adding the
- 13 development, that we're fixing any sort of delays at
- 14 the intersection of level of service E that we've
- 15 talked about before along the Fuller Street approach,
- 16 but bottom line, this development isn't necessarily
- 17 contributing more than one second during the morning
- 18 peak hour to it.
- 19 When it comes to the retail trip generation,
- 20 we had questioned also how that number was established.
- 21 We've discussed land-use code 826, which was specialty
- 22 retail center, which really provided a very limited
- 23 amount of data. And trying to use that data for this
- 24 development is likely questionable -- likely

- 1 inaccurate, but it was the most appropriate description
- 2 for the square footage, yet the data points that are
- 3 available in ITE were sparse and were not within the
- 4 realm of this small scale of 2,106 square feet.
- 5 So VAI took another look at different ways to
- 6 calculate the retail trips using land-use code 820,
- 7 which is shopping center, another land-use code that
- 8 really does not apply necessarily. The data points
- 9 don't really fit the scale of this development, but for
- 10 lack of better information, they've made a comparison
- 11 and found that it -- using this land-use code would
- 12 generate approximately the same amount of trips as
- 13 using land-use code 826. Both land-use codes, again,
- 14 are not representative of what this square footage
- 15 would be.
- It's our opinion, however, that based on what
- 17 we're seeing for increases in delays at the two subject
- 18 intersections and the small scale of this 2,000 square
- 19 feet of retail space and the anticipated walkers or
- 20 bicyclists or transit users that will not necessarily
- 21 drive a vehicle to this retail space, that even if it
- 22 increases the volumes a bit, it might show, perhaps,
- 23 another second delay, but it would probably not be
- 24 substantial based on what we're seeing so far.

- 1 So the next step in identifying the ideal --
- 2 the exact number of trips anticipated to be generated
- 3 by this space would be, one, to figure out specifically
- 4 what the use is going to be in this 2,000 square feet;
- 5 and then two, find a similar usage and do an extensive
- 6 traffic study to determine trip generation for that.
- 7 I feel the outcome would not be any different,
- 8 though, however, but it will be able to further define
- 9 exactly what you're looking at for an increased delay,
- 10 but probably not much different than what you're
- 11 finding in the report now.
- 12 Regarding the peak hours on Saturday, again,
- 13 in an ideal situation, we would have had more time to
- 14 collect more data -- or they would have had more time
- 15 to collect data and to analyze what the operations are
- 16 here on a Saturday.
- 17 Based on the Hammond Street intersection, for
- 18 instance, again, as it was identified, the Saturday
- 19 mid-day peak hour tends to be lower than the weekday
- 20 morning and evening peak hours. I understand it's not
- 21 the exact same location, absolutely, but in our
- 22 opinion, what we're seeing is lower traffic volumes
- 23 than other areas, small retail usage, still to be
- 24 determined what that usage exactly is. Additional

- 1 evaluations could be done to further define what the
- 2 outcome would be, but we would anticipate that given
- 3 the way the intersections operate during the
- 4 weekday a.m., weekday p.m., it would likely be a very
- 5 similar outcome again. But again, they could further
- 6 evaluate this to get precise results if time was not an
- 7 issue.
- 8 We had talked before about the site design,
- 9 specifically the sidewalk elevation. What we had
- 10 identified originally was we actually preferred,
- 11 instead of depressing the elevation of the sidewalk as
- 12 they've shown, we would have actually preferred to have
- 13 had the sidewalk at a higher elevation in order to
- 14 identify this crossing, this driveway apron, as a
- 15 driveway apron so that it appears physically to be
- 16 within the sidewalk and so that the driver is alerted,
- 17 hey, you're driving on the sidewalk, pedestrians are
- 18 crossing, as opposed to pedestrians that are not
- 19 crossing; something more representative of a roadway
- 20 with wheelchair ramps and tactile paint over on either
- 21 side.
- I understand that the elevation and the grades
- 23 are something to be designed around. The slopes
- 24 provided along the ramps are far more improved than

- 1 they were before. And if we were to have a higher
- 2 sidewalk elevation, the design would have to chase that
- 3 slope to try to catch up on the other end down at the
- 4 garage. However, I think that there would be a benefit
- 5 to making this setting, this feeling, as part of a
- 6 sidewalk instead of part of a roadway that's being
- 7 crossed by a pedestrian.
- 8 We had recommended that considerations be made
- 9 to provide improved pedestrian crossings at the
- 10 Harvard/Fuller intersection to provide accessible
- 11 pedestrian signals. Given the calculations that have
- 12 been generated and the percentages of -- the high
- 13 percentages of alternative modes of transportation
- 14 other than vehicles, we would anticipate a decent
- 15 amount of pedestrians walking along the roadway that
- 16 would be added to be crossing these intersections.
- 17 Whether, in our trip generation, we called it
- 18 "pedestrian" or "transit," if you think about it, they
- 19 both are very similar in that people have to walk to
- 20 access the transit. So in our opinion, there would be
- 21 a substantial increase of pedestrians here, and
- 22 therefore it would be safer, more attractive for
- 23 pedestrians if there were better pedestrian
- 24 accommodations provided.

- 1 The parking layout and scenario has changed
- 2 somewhat dramatically, quite a bit from what was
- 3 previously presented. The breakdown of parking spaces
- 4 for commercial uses includes four compact spaces that
- 5 are tandem spaces within the garage and then four
- 6 standard tandem spaces along the driveway over at the
- 7 Coolidge site bringing the total to eight commercial
- 8 spaces. The use of shared spaces between residential
- 9 and commercial has been eliminated from the plan.
- 10 For residential parking, there are nineteen
- 11 parking spaces: four compact tandem spaces, eight
- 12 standard tandem spaces, six standard single-row spaces,
- 13 and one accessible single-row space, bringing the grand
- 14 total between the Harvard and Coolidge site to twenty-
- 15 seven spaces.
- 16 A question that we still have and a concern
- 17 that we still have has to do with the tandem spaces.
- 18 Not necessarily the commercial tandem spaces because
- 19 it's been identified that the commercial tandem spaces
- 20 are now to be used for employees and not for customers,
- 21 so finding somebody to remove your car would be
- 22 somewhat simple in that instance. It really has to do
- 23 with the residential tandem spaces and how people in
- 24 the apartments will be able to enter or exit their

- parking space should another resident from another
- 2 apartment be blocking them, even if they know who
- 3 that -- who owns that vehicle. Trying to locate the
- 4 person if they're away or anything like that would be
- 5 challenging, so that was one of the concerns that we
- 6 had.
- 7 So when it comes to the number of parking
- 8 spaces, the applicant is proposing that there will be
- 9 .76 spaces per residential unit, which ideally -- I
- 10 think originally we were shooting for 1.0, I believe,
- 11 but .76 seems reasonable provided that all these spaces
- 12 can be realized and that you can access your parking
- 13 space if somebody's blocking you in, whatever that
- 14 system might be.
- 15 I do want to point out, when it comes to the
- 16 retail use, customer parking, again, was eliminated
- 17 from the site, so any customers wishing to access their
- 18 retail space or the RE/MAX would have to find alternate
- 19 parking, whether it be on the street or municipal
- 20 parking lots. So that was -- the customer parking,
- 21 again, was eliminated from the plan.
- 22 The opening at the driveway was improved in
- 23 that the curb corners were shifted back from the
- 24 driveway opening at least on the northern side of the

- 1 driveway opening to improve access to the loading zone.
- 2 However, the curb cut corner on the southern side of
- 3 the driveway was retained, and we would recommend that
- 4 that be looked at again because we would anticipate
- 5 drivers leaving the garage turning right onto Fuller
- 6 could end up driving over that curb corner.
- 7 As I mentioned before, there was a substantial
- 8 improvement on the ramp slope in that the 8 percent
- 9 slope from the back of sidewalk was extended further to
- 10 a distance of 20 feet behind the sidewalk and that was
- 11 followed by 16 percent, so that improves visibility for
- 12 drivers going up the ramp, approaching the sidewalk,
- 13 and being able to see pedestrians crossing.
- 14 At the bottom of the ramp, inside of the
- 15 garage, the configuration was improved so that vehicles
- 16 can actually make the turn and -- the 180-degree turn
- 17 at the bottom of the ramp. It's just enough space to
- 18 allow, as we pointed out before, one vehicle at a time
- 19 to make the maneuver, whether that be an entering
- 20 vehicle or exiting vehicle. There's not enough room
- 21 there for two vehicles to pass each other concurrently,
- 22 so certainly breaking -- considering breaking the -- or
- 23 providing a window or an opening in the wall in that
- 24 barrier between the entering ramp down into garage and

- 1 that right turn should certainly help with visibility
- 2 so that vehicles can wait their turn to get through.
- 3 Sight distance was also addressed. In the
- 4 original report there were no speed evaluations
- 5 performed along Fuller, and as a result, we had just
- 6 made an assumption of a speed of 30 miles an hour as
- 7 the 85th percentile speed. Based on follow-up
- 8 information provided by VAI, we're finding that the
- 9 travel speeds are substantially lower than our
- 10 assumption: 21 miles an hour for Fuller Street
- 11 eastbound, 23 miles an hour for Fuller Street traveling
- 12 westbound, so as a result, the sight distance
- 13 requirements are much less.
- In the end, with the travel speeds that were
- 15 observed by VAI, there is adequate stopping sight
- 16 distance. By "stopping sight distance," I mean the
- 17 distance that a vehicle is required along Fuller to
- 18 come to a stop if there's an obstruction or, say, a
- 19 turning vehicle coming from the garage, for instance,
- 20 entering their path of travel. So that is certainly
- 21 met.
- The problem remains, however, that there is a
- 23 fence located along that southern property line that
- 24 extends all the way to the back of sidewalk. That

- 1 fence has vertical boards with decent gaps in between
- 2 them. It could certainly restrict visibility for
- 3 oncoming traffic if you look to the right from that
- 4 driveway ramp. If you were to stop along the back of
- 5 sidewalk and look to the right, you would be looking
- 6 primarily at that fence and maybe in between those
- 7 gaps.
- 8 So although adequate stopping sight distance
- 9 is provided so that that vehicle along Fuller can
- 10 certainly come to a safe stop in order to avoid hitting
- 11 that vehicle entering, the concern that we continue to
- 12 have is that drivers -- some drivers may tend to drive
- 13 on the sidewalk a little bit further in order to have
- 14 clear visibility of oncoming traffic before they enter
- 15 into Fuller Street, blocking the sidewalk zone. Not
- 16 all drivers, but some. So in a perfect world, the
- 17 fence would be altered, but I understand that the fence
- 18 is not part of this property. But it would certainly
- 19 make visibility a lot better if that fence were to be
- 20 removed.
- 21 Changes were provided on the layout of the
- 22 loading zone and turning templates were provided
- 23 showing that with the new configuration, the widened
- 24 driveway, the extra parking space that was provided

- 1 there, more room is provided for a single-unit truck to
- 2 be able to enter into the space easier. So traveling
- 3 southbound along Fuller Street, the truck would
- 4 actually still continue to protrude somewhat into the
- 5 northbound traffic before backing into the parking
- 6 space. So again, the truck will still continue to
- 7 protrude into opposing traffic briefly before backing
- 8 into the parking space, and for that reason, the
- 9 loading bay hours will be restricted to off-peak times.
- 10 And I believe that would be the highlights of
- 11 the findings.
- MR. GELLER: Thank you.
- 13 Ouestions?
- 14 MS. POVERMAN: Can I just continue on? You
- 15 thought you could shut me up.
- MS. SCHNEIDER: I just wanted you to wait, not
- 17 to shut up.
- MS. POVERMAN: Okay. So actually, I don't
- 19 have that many.
- 20 So in your response to -- or in Comment 3 when
- 21 you were talking about the justification for using the
- 22 54.7 commuting-to-work reduction and VAI cited a
- 23 planning study conducted for the City of Cambridge
- 24 relating to trips in Central Square and Kendall Square,

- 1 what differences and similarities do you see between
- 2 the community where this is being built and the Central
- 3 Square/Kendall Square area?
- 4 MR. FITZGERALD: Well, I think, in my
- 5 opinion -- and this would be completely opinion. I
- 6 suspect that the 65 percent would be high for this
- 7 location, 65 percent reduction would be high. For lack
- 8 of any other better information, is it the 54.7? Is it
- 9 56? Is it 50? I don't have any data to back anything
- 10 up, but it is certainly -- there is certainly some sort
- 11 of reduction. Some sort of reduction is certainly
- 12 warranted here for these alternative modes of
- 13 transportation in the setting. Is that the precise
- 14 number? I'd say probably not. But given the small
- 15 percentage of retail usage here, and then after
- 16 factoring in we'll be eliminating some trips as well,
- 17 it's probably not going to make enough of a difference
- 18 to identify an increase in -- a substantial increase in
- 19 delay.
- MS. POVERMAN: Right. My understanding of the
- 21 conclusion -- that basically it's not going to make
- 22 that much of a difference. But is your conclusion that
- 23 it would be lower based on a conclusion that the
- 24 neighborhoods are dissimilar?

- 1 MR. FITZGERALD: It would be different in that
- 2 every location is unique. And I don't know how
- 3 dissimilar they would be without having documentation
- 4 in front of me to back it up, so there's no way for me
- 5 to project without having data in front of me. And
- 6 having Kendall Square/Central Square is one piece of
- 7 the puzzle, and we could really analyze this a lot
- 8 further to get a more specific number. So I don't mean
- 9 to sound vague and fuzzy on this topic, but I can't
- 10 answer that without actually diving in and collecting
- 11 other more appropriate information.
- 12 MS. POVERMAN: Right. You're a numbers man.
- 13 MR. FITZGERALD: I am a numbers man. I'm an
- 14 engineer.
- MS. POVERMAN: I'd say, oh, my goodness. This
- 16 is much more urban. But you need the numbers. I
- 17 understand that. Okay.
- 18 So going back to just the conclusion about --
- 19 actually, the comparison leading to the conclusion that
- 20 Saturday morning peak hours are not going to be greater
- 21 than those of weekday peak hours or weekend -- or
- 22 excuse me. Based on this, on a comparison -- or excuse
- 23 me -- a study done of traffic at Heath Street, Hammond
- 24 Street, and Route 9, given the information that Route 9

- 1 is a major artery of commuting from the suburbs to
- 2 Boston which handles thousands of cars a day, would
- 3 that affect your conclusion as to whether or not this
- 4 was an appropriate comparable site to use as a study?
- 5 MR. FITZGERALD: It's probably not exact. I
- 6 agree with what you're saying. It is a different
- 7 setting, being so close to Route 9. I do think that
- 8 there is a high amount of commuter traffic along
- 9 Harvard Street as well. What is that number? I don't
- 10 know.
- 11 MS. POVERMAN: 1,000.
- MR. FITZGERALD: Well, commuters verses people
- 13 who live in the region.
- MS. POVERMAN: Right. But if we look at the
- 15 numbers, I mean, going on peak hours, it's 530 one way,
- 16 5-something the other way, so it's about that.
- 17 MR. FITZGERALD: Correct. But I quess the
- 18 question remains: Are those people who live in the
- 19 vicinity, or are they just cut-through traffic?
- 20 MS. POVERMAN: But does it make a difference
- 21 with that volume of traffic going through?
- MR. FITZGERALD: The numbers that we're
- 23 looking at, for instance, the Hammond at Heath Street
- 24 intersection, is not Route 9. It's on the side street.

- 1 It's true that it connects to Route 9 very nearby.
- 2 However, it's not -- we're not necessarily saying that
- 3 it's out of the realm of possibility that these numbers
- 4 might represent Saturday. Again, in a perfect world --
- 5 I am a numbers person. I would rather have a count in
- 6 my hand to be able to tell you exactly what those
- 7 numbers are, but I don't have that luxury.
- 8 MS. POVERMAN: Where from this can I tell that
- 9 it is not -- does not include Route 9?
- MR. FITZGERALD: The Hammond Street and Heath
- 11 Street intersection vehicles per hour, 1,390, Table 2.
- 12 MS. POVERMAN: Yeah.
- MR. FITZGERALD: So that's the peak hour
- 14 traffic traveling through that intersection as opposed
- 15 to Boylston Street just to the right.
- MS. POVERMAN: So Boylston Street would be at
- 17 the top if it were Boylston Street being counted?
- 18 MR. FITZGERALD: Right. So Hammond Street at
- 19 Boylston Street. This is the intersection with
- 20 Route 9.
- 21 MS. POVERMAN: Right.
- MR. FITZGERALD: That would be the 3,889.
- MS. POVERMAN: Okay. So then going to the
- 24 analysis done including peak hour volume comparisons

- 1 including the nearest continuous traffic volume
- 2 Counter 1 which indicated that Saturday volumes
- 3 represent approximately 81 percent of the average
- 4 weekday volume --
- 5 MR. FITZGERALD: Yes.
- 6 MS. POVERMAN: And it's based on analyses from
- 7 the Mass. Pike which, based on the appendix, had about
- 8 tens of thousands of cars going.
- 9 MR. FITZGERALD: Right. Quite honestly, I did
- 10 not even consider that. I was basing everything off of
- 11 the Hammond Street/Heath Street intersection.
- MS. POVERMAN: Do you think that is a
- 13 valid comparison to use?
- 14 MR. FITZGERALD: For the Mass. Pike?
- 15 MS. POVERMAN: Yes.
- MR. FITZGERALD: Probably not.
- 17 MS. POVERMAN: Okay. Thank you.
- 18 Oh, and just a question. People have been
- 19 talking -- can the town say, upgrade this intersection?
- 20 MR. GELLER: Can the town tell this --
- 21 MS. POVERMAN: Yeah. I mean --
- MR. GELLER: No. If they filed under 40A --
- 23 if they were under 40A, we do it all the time in these
- 24 hearings. This is 40B context.

- 1 MR. ENGLER: Can I answer that question? I've
- 2 been waiting to say something.
- 3 All this background information ended up with
- 4 a one-second change. It's a lot of work with very
- 5 little result, and we're paying for it. I want to be
- 6 clear on that. And we are not responsible under 40B
- 7 for existing off-site traffic issues, whether they're
- 8 great, they're medium, or they're really bad. That's
- 9 existing, and that's an issue with enforcement or the
- 10 town or the warrant articles or whatever. We are
- 11 responsible for the incremental changes and the
- 12 negative way that we bring to something like that.
- 13 So the issue is really sight line visibility.
- 14 We have 24 units. The state says if you have 20 units,
- 15 you don't have to do a traffic study. We're doing all
- 16 this work for 24 units and some retail. It ends up
- 17 with a second change. I just want to say that there's
- 18 nothing going on here that's affecting what we're
- 19 doing -- or we're not going to be affecting what's
- 20 going on. I should put it that way. So we are not
- 21 responsible for any of those things. If we're bringing
- 22 a lot of pedestrian traffic to the area, maybe we
- 23 should look at that. But in terms of cars, I don't see
- 24 us influencing anything that's going on. Thank you.

- 1 MR. GELLER: Thank you.
- 2 MS. POVERMAN: Similarly, can the town reduce
- 3 the speed on a safety matter? Say, okay, the speed
- 4 limit on Fuller Street is 25 miles or 20 miles an hour?
- 5 MR. FITZGERALD: You can't do that. You need
- 6 a special speed regulation filed with MassDOT based on
- 7 a study.
- MS. POVERMAN: That's a bummer.
- 9 I am through.
- 10 MR. GELLER: Okay. Other questions?
- 11 MS. SCHNEIDER: I have just a couple.
- 12 This is in relation to Comment 11. You
- 13 mentioned that there's going to be a substantial
- 14 increase in pedestrians, and I think that you were
- 15 suggesting that maybe some upgrades be made to the
- 16 intersection to improve the walking environment for the
- 17 pedestrians.
- I guess I'm wondering what you're deeming as
- 19 "substantial increase." I mean, as the consultant just
- 20 pointed out, this is like a 23-unit project, and I'm
- 21 just wondering what, in your mind, is a substantial
- 22 increase in pedestrians. Is it 40 people suddenly
- 23 there, that that's a substantial increase over what's
- 24 there now? How do we judge that this is a substantial

- 1 increase in pedestrians from this project?
- 2 MR. FITZGERALD: I should clarify that. I did
- 3 not calculate number of pedestrians anticipated. My
- 4 statement was just based on the fact that we're
- 5 anticipating vehicular trips that have been reduced
- 6 substantially from -- again, substantially. 55 percent
- 7 is substantial in order to reduce the traffic volumes,
- 8 which makes sense.
- 9 But it should also be recognized that they
- 10 just don't go away, that there are pedestrians walking
- 11 the site or walking to transit, and ideally some sort
- 12 of improvement for those pedestrians at the
- 13 intersection immediately adjacent to the site would be
- 14 a good improvement to that location.
- MS. SCHNEIDER: Okay. My next question has to
- 16 do with Comment No. 12, and I think this is the tandem
- 17 spaces in the garage. And it sounds like the applicant
- 18 has made a lot of progress in terms of rearranging the
- 19 spaces and changing the use of some of the spaces and
- 20 that you're feeling more comfortable with this. Your
- 21 comment still talks about, you know, without full-time
- 22 attendants, it's unclear if cars -- you know, it's
- 23 unclear if the system is going to work, even with the
- 24 reduction.

1 So I quess my question is -- and I think I 2 asked you a very similar question the last time when 3 there were more parking spaces and potentially a few 4 more trips being generated here -- how much of this is 5 a safety issue, i.e., spilling over to, you know, a 6 queuing issue creating additional congestion on the 7 street, and how much of it is just, like, a 8 marketability issue for the project owner who needs to 9 tell residents, hey, this is your neighbor. Exchange 10 keys with them. And maybe some people find that 11 unpalatable. MR. FITZGERALD: I feel as if it probably is 12 not a safety issue in that if a driver is entering into 13 the garage -- a resident is entering into the garage 14 15 and is blocked by a vehicle, that they could probably 16 pull over somewhere, albeit double parking illegally 17 or -- not a valid parking space. I'll put it to you 18 that way. That would be a substantial inconvenience. 19 When it comes to adding parking spaces that are in tandem, my question really has to do with how 20 21 feasible is this? How would this operate so that all 22 those all spaces are actually realized? If they all

exist and we have a parking ratio of .75 or whatever

the number exactly was, great. If it's a system that

23

24

- 1 isn't working and residents are deterred from using the
- 2 parking within the building and they want to use up the
- 3 on-street parking or, say, the municipal supply, that's
- 4 more of what my question was geared to.
- 5 MS. SCHNEIDER: Okay. My last question I
- 6 think is sort of related to that in relation to
- 7 Comment 13. You note that the retail parking has been
- 8 designated as employee parking and that you're somewhat
- 9 concerned that this is going to cause customers of the
- 10 retail use to be taking up, you know, street and other
- 11 spaces in the neighborhood. I don't remember -- and
- 12 maybe you don't off the top of your head either. Maybe
- 13 the applicant can tell us -- how many customer spaces
- 14 there were previously.
- MR. FITZGERALD: The parking spaces I believe
- 16 were the shared spaces for the customers.
- MS. SCHNEIDER: Do you guys know how many
- 18 customer spaces you had designated previously?
- 19 MR. SHEEN: Previously?
- 20 MS. SCHNEIDER: Yeah. Because I think Jim's
- 21 comment was that --
- MR. GELLER: Earlier in their project or what
- 23 exists now?
- 24 MS. SCHNEIDER: Earlier in their project

- 1 because his comment says the retail on-site parking has
- 2 been designated as employee parking. Maybe I'm
- 3 misunderstanding the comment.
- 4 MR. GELLER: I didn't think any of it --
- 5 MS. SCHNEIDER: I didn't think so either, so
- 6 maybe I'm just misunderstanding what I'm reading here.
- 7 MR. GELLER: Was any of the parking in your
- 8 prior iteration -- the commercial parking, was any of
- 9 it for customers?
- 10 MR. BROWN: No.
- 11 MR. SHEEN: We didn't designate commercial --
- 12 MS. SCHNEIDER: Okay. Then I was just
- 13 misreading his comments.
- 14 Thank you. That's all I have.
- MR. GELLER: I really have -- my first
- 16 question is really for Vanasse & Associates, which is:
- 17 Is there a reason that the suggested offset on the
- 18 southern side of the curb cuts was not made, or was
- 19 that just an oversight? Is this an issue or --
- 20 MR. THORNTON: I think -- we can go back and
- 21 look at that. I thought that it was clearly needed on
- 22 the northern side, but we can go back and look at it on
- 23 the southern side as well.
- MR. GELLER: Okay. The heating elements that

- 1 you've introduced into the ramp, is it -- there had
- 2 been a suggestion, Jim, I think in your report that
- 3 they needed to do it on both ramps or both sections of
- 4 ramp?
- 5 MR. FITZGERALD: Yes.
- 6 MR. GELLER: And is that now being done or --
- 7 MR. FITZGERALD: I believe earlier it was
- 8 mentioned that --
- 9 MR. BROWN: Yes.
- MR. GELLER: So you've agreed to do that?
- 11 MR. BROWN: Yes.
- MR. GELLER: Okay. So that's resolved.
- Okay. I'm going to now sort of jump back to
- 14 broad brush-stroke questions that I asked you before,
- 15 which is -- you've now seen their responses to the good
- 16 questions that you asked and you've seen additional
- 17 information. Is their methodology correct --
- 18 MR. FITZGERALD: Yes.
- 19 MR. GELLER: -- from what you've reviewed?
- 20 Okay.
- 21 And their conclusions are correct from what
- 22 you've reviewed?
- MR. FITZGERALD: Yes.
- MR. GELLER: And based on your review, your

- 1 conclusion is that -- and I hate to agree with
- 2 Mr. Engler about that incremental piece, but had he
- 3 been at the last hearing, he would have heard me say
- 4 the same thing. This project, does -- this project and
- 5 whatever traffic it creates, does it create -- keep in
- 6 mind I'm trying to dumb this down -- does it create
- 7 queuing problems at the intersections studied? Does it
- 8 have any loss, any lesser --
- 9 MR. FITZGERALD: It's not noteworthy.
- 10 Negligible.
- MR. GELLER: Okay. Have they addressed -- and
- 12 obviously you've had some comments such as with the
- 13 height of the sidewalk. Have they addressed any issues
- 14 that you've raised with respect to safety to your
- 15 satisfaction now? Are there any outstanding issues
- 16 other than --
- 17 MR. FITZGERALD: There are no outstanding
- 18 deficiencies.
- 19 MR. GELLER: Thank you. Okay. I think that's
- 20 it.
- 21 Anyone else?
- 22 (No audible response.)
- MR. GELLER: Okay. Thank you. We may have
- 24 more for you, but hang in there.

- Okay. What I'd like to do now is we're going
- 2 to invite the public to offer testimony on the subject
- 3 of tonight's hearing, what we've heard both from the
- 4 applicant's traffic consultant as well as if you want
- 5 to relay any testimony that pertains to comments we've
- 6 heard from our own peer reviewer.
- 7 Here's what I would ask: Again, listen to
- 8 what other people have to say. If you agree with them
- 9 but don't have anything new to add, point at them and
- 10 say you agree with them. Again, keep your focus on the
- 11 substance of this hearing.
- I want to thank members of the public who did
- 13 submit materials in advance of the hearing. In
- 14 particular, I want to thank Mr. Gunning who submitted a
- 15 fairly lengthy -- photographs as well as written
- 16 materials. They are greatly appreciated. You clearly
- 17 worked very hard on them. The one thing I would ask
- 18 is -- it's a lot of material.
- 19 MR. GUNNING: I'll go fast. I'll go very
- 20 fast.
- 21 MR. GELLER: Here's what I really want you to
- 22 focus on, and you can articulate it any way you want.
- 23 But the things that we really want to focus on are how
- 24 is this project, okay -- what are the negative impacts

- 1 of this project?
- 2 As you've heard, Mr. Engler maybe isn't the
- 3 best messenger.
- 4 You'll forgive me, Mr. Engler.
- 5 But he's right. Existing conditions are sort
- 6 of outside our scope.
- 7 So with that, I assume you're number one.
- 8 MR. GUNNING: So I just want to note --
- 9 MR. GELLER: Tell us who you are.
- 10 MR. GUNNING: Tom Gunning, 39 Fuller Street.
- I just want to note on this speed study -- and
- 12 I'm no expert on these things, but it looks like it was
- 13 done at 9:00 a.m. on a Thursday. So at 9:00 a.m. on a
- 14 Thursday, cars have a very hard time speeding. The
- 15 speed issue at the intersection is when you round the
- 16 corner on Centre and that light is green and the
- 17 intersection is clearing, people fly down the street.
- 18 So it's not when the cars are all backed up. So I
- 19 don't think 9:00 a.m. on a Thursday is maybe the best
- 20 time to measure.
- Okay. So I took a lot of pictures. We can
- 22 take more. And I'll just present a sample. And it's
- 23 really from three business days, I would say, the
- 24 picture comes. I'll try to explain the issues -- the

- 1 incremental issues based on pictures, not on these
- 2 words, and maybe this is the place to start.
- The issues will be compounded by the project,
- 4 in particular the left turn out of the project where
- 5 there's very little traffic. There will be much more.
- 6 And we'll have two sidewalks blocked rather than one.
- 7 I would pass my requests -- if have standing, the
- 8 developer should assume I'm going to challenge or
- 9 intend to.
- 10 So what does the data show us? Three times as
- 11 many accidents at Fuller versus Coolidge. At least as
- 12 I understand it, the level of service measure at E
- 13 includes safety. E for the intersection in question,
- 14 as I understand this data, means an 86-foot queue on
- 15 average at Fuller and Harvard and 162 at the 95th
- 16 percentile, so an E. It's a little less at night but
- 17 still a big queue -- just the definition of what E
- 18 means. Pretty stinky I think is what we called it at
- 19 the last meeting.
- These lines are, for sure, not precise, but
- 21 they're intended to give a rough accuracy of what it
- 22 means to be 86 feet and what it means to be 162 feet
- 23 from that intersection measured from the stop line. At
- 24 86 feet, when I measured, that's right in the middle of

- 1 the entrance and exit of the project. That means any
- 2 car trying to take a left-hand turn out of the project
- 3 on average won't be able to. You go to 95 and it's
- 4 clearly blocked. There's no possible way to take a
- 5 left-hand turn and go down Fuller. Coming the other
- 6 way, if you want to take a right into the parking lot,
- 7 you can't. So you're going to have backups both ways.
- 8 Clearly people can't get home with that kind of a
- 9 queue. So incrementally, that left-hand turn out of
- 10 the 420 is going to cause problems.
- 11 So here -- I don't have my glasses, and I can
- 12 hardly see my pictures, but I think this is one where
- 13 people are trying to make left-hand turns and you can
- 14 see cars backing up onto Fuller. Another picture.
- 15 So the queue -- I don't know. This must be
- 16 the thousand-year flood, but it goes around the corner
- 17 and onto Centre Street. So here's a truck trying to
- 18 make its turn onto Fuller Street, the parking lot. You
- 19 can see traffic backs up -- backs up onto Harvard,
- 20 including, if you look in the background, the school
- 21 bus.
- 22 So what does it look like on Coolidge, since
- 23 we have another option? It's a C with a zero queue on
- 24 average -- a zero queue on average, 18 feet at 95

- 1 percent. C service means average delays, minor
- 2 traffic. That's a picture of what a zero queue looks
- 3 like on Coolidge Street.
- 4 So here in the review notes it says, look,
- 5 we're going to have cars cutting in from the left-hand
- 6 turn. They'll do it just like they do it today. There
- 7 are very, very few cars doing it today. And this is --
- 8 you can see this car sitting in the parking lot, the
- 9 black car. You can see what it means to cut into the
- 10 parking lot after you wait for a while. So they drive
- 11 down head-on into traffic to merge in a very short
- 12 frame into the traffic.
- So the line of sight: The line of sight in
- 14 one report I read said, well, you can see without
- 15 protruding. This was taken from the sidewalk, and in
- 16 my mind, if I can't see the driver, then the driver
- 17 can't see me. So I just think with C you're going to
- 18 have to go onto the sidewalk, which means you'll have
- 19 both sidewalks blocked.
- The loading zone: So the loading zone, trucks
- 21 are swinging into the lane. We have in the traffic
- 22 report that they'll swing into one lane. All I'm doing
- 23 here is showing, well, they're already swinging into
- 24 the other lane when they exit Fuller Street, so you're

- 1 going to add trucks swinging into both lanes in the
- 2 same place if you have a loading zone set where it's
- 3 intended. So every truck that exits the Fuller Street
- 4 parking lot -- and there are many, many -- swings out
- 5 into the other lane's traffic.
- 6 So I won't spend a lot of time on this. It
- 7 seems to me at one point the option of Coolidge was
- 8 open. And it was not moved to Fuller for the
- 9 residential parking and entrance and exit because of
- 10 parking spots, because of construction costs, but it
- 11 was moved because the neighbors on Coolidge Street
- 12 preferred it. And at least the testimony from the
- 13 developer was that they preferred it because they don't
- 14 have traffic in parking lots now, Fuller does, so let's
- 15 put it all on one street.
- So comparative safety, Coolidge -- it just
- 17 seems to me logically to be a better option. There are
- 18 fewer accidents, there's no queue, there isn't a
- 19 parking lot already that cuts the sidewalk to be --
- 20 have another parking lot across the street that will
- 21 also be cut by a parking lot.
- I think that things will get worse with the
- 23 other projects. 384 is close by and will use the
- 24 Fuller Street parking lot. The Centre Street project

- 1 will feed Fuller. I just think it's very hard to make
- 2 comparisons. And yes, I'm not minimizing that there
- 3 are issues on Coolidge, but there are two sidewalks,
- 4 and the fact that there are a lot of cars parked on the
- 5 street does not expose people to anybody unless they're
- 6 in the street.
- 7 I just want to do a reminder on the
- 8 construction management plan. Given the traffic
- 9 situation at Fuller in those pictures, incremental and
- 10 not incremental, I don't know where construction
- 11 vehicles are going to go if they're on Fuller Street.
- 12 They need to be on the property, or they need to come
- 13 in and use the owned property at 49 Coolidge to do
- 14 construction.
- So I'll try to go quickly through these
- 16 pictures. This really just shows many, many days, all
- 17 times of the day. You cannot exit 402 Harvard, and you
- 18 can't get into the parking lot. So these are just
- 19 different days and times.
- Okay. So then we've seen this. This is the
- 21 left-hand turn. The left-hand turn into the parking
- 22 lot is difficult. I don't see how you can get out or
- 23 into that place when you have a backup going into
- 24 Fuller -- Fuller Street parking lot.

- Okay. This is -- the drivers are coming out
- 2 of 420 driving into oncoming traffic. It's almost a
- 3 necessity.
- 4 Okay. And then in terms of my house at 39,
- 5 again, just different times of the day. The driveway
- 6 is blocked. It was blocked this morning when I came to
- 7 bring the thumb drive down.
- 8 You've seen this one, goes around the corner,
- 9 sidewalk. So the sidewalk on the other side will be
- 10 blocked. It will be blocked. There's no way on the
- 11 line of sight to see down that street without blocking
- 12 that sidewalk, so they'll be blocked on both sides.
- We didn't tug on heart strings by putting all
- 14 the older people who were walking down the street. We
- 15 just picked cars, day and night. So again, the limited
- 16 line of sight in these two pictures are pictures of
- 17 just getting out of the Fuller Street parking lot.
- 18 Again, blocked just on a normal -- normal exit.
- 19 So we've seen these. There's the school bus
- 20 back on Harvard, the trucks coming in and out of the
- 21 parking lot and the maneuvers they make, always in both
- 22 lanes. I just don't see how you could put a loading
- 23 zone in the middle of this mess, again, when another
- 24 option is available.

- 1 I promised pictures. Next we'll set an
- 2 Instagram account so that everybody can continue to see
- 3 the pictures, and we'll keep the Instagram going.
- 4 We'll post 20 pages of pictures a day until the process
- 5 is over so everybody can see that this is a problem.
- 6 And I do understand the incremental point. I also
- 7 clearly see there is another option and a viable
- 8 option. So incremental, one issue; other option is
- 9 really just in front of you guys. Thank you.
- 10 MR. GELLER: I want to thank you for what is
- 11 clearly -- you put a major effort into this, and I
- 12 applicate that.
- 13 MR. GUNNING: It was fun.
- MR. GELLER: I'm not sure I'd use the word
- 15 "fun," but thank you.
- 16 Anybody else?
- MS. BENNETT: My name is Kailey Bennett, and I
- 18 live at 12 Fuller Street.
- So I've brought this up before, and I feel
- 20 like these pictures really help visualize it, the fact
- 21 that this is the parking lot on Fuller Street which is
- 22 also used as a loading zone for the businesses there.
- 23 There's Genki Ya, there's the Jewish book store. So
- 24 you have a flow of traffic, of commercial traffic --

- 1 sized traffic, big trucks going into here.
- With the proposed site, which is here, as we
- 3 all know, that's also going to be commercial traffic,
- 4 so we are recognizing that there's an issue that
- 5 there's already traffic problems at the current
- 6 location because -- especially, like, in this scenario
- 7 where you have things that are trying to go out and
- 8 come in. But this new development would compound that
- 9 by having an additional side of the street where you're
- 10 going to have commercial traffic. At least that's how
- 11 I understand it.
- So as someone who is constantly walking down
- 13 this exact route because this is where I live, that's a
- 14 concern for me. And I think that there's a gentleman
- 15 who's been also trying to say that every week, that how
- 16 do you have two commercial loading zones basically
- 17 right next to each other on opposite sides of the
- 18 street?
- I also would like to reiterate about the sight
- 20 line. I had a question for the traffic reviewer. When
- 21 you took the pictures that you have in your traffic
- 22 review, were you taking that standing or were you in a
- 23 vehicle?
- MR. THORNTON: So when we took that picture,

- 1 the -- there's a requirement for -- to represent the
- 2 line of sight of a driver in a car, and you're taking
- 3 that measurement from a height of three and a half
- 4 feet.
- 5 MS. BENNETT: Okay. That makes sense.
- 6 Because my question was -- I went there today. I was
- 7 walking home from work and stood where that car is,
- 8 trying to position myself how I would see up the street
- 9 on Fuller if I was in a vehicle. Because the picture
- 10 that was in the study didn't seem to make sense because
- 11 it did show a much longer sight range. But if you --
- 12 if the car is not on the curb, which is something we've
- 13 discussed tonight, I don't think that you -- you can't
- 14 see up the street in the same way as the picture that
- 15 was attached to the review showed. It showed a longer
- 16 sight line. But if you're back off the curb, that
- 17 sight line is different.
- 18 MR. THORNTON: Can I respond?
- 19 MS. BENNETT: Yes.
- 20 MR. THORNTON: And I don't know how -- if you
- 21 want me to keep responding or you want me to save
- 22 everything all at once.
- MR. GELLER: Respond to this. We'll play it
- 24 by ear.

- 1 MR. THORNTON: Okay. So the viewpoint -- we
- 2 had someone at three and a half feet at the back of the
- 3 sidewalk here, actually a little bit west of south,
- 4 representing the location of the exit driver where it's
- 5 proposed. And then we looked -- we had another person
- 6 that went back as far as they could where they could
- 7 still see that one person at the three-and-a-half-foot
- 8 height and that distance was 400 feet. And that
- 9 represents -- this picture is misleading because you're
- 10 not able to see at an angle. This is taken from -- it
- 11 looks like about the middle of the sidewalk, whereas
- 12 the closer you get to the curb line in the street, the
- 13 more of that vehicle on the right you can see. And as
- 14 you get into the other side, the other lane of the
- 15 traffic that's approaching, you have an even greater
- 16 angle and greater distance to see that vehicle that's
- 17 exiting.
- MS. BENNETT: But what if you're not a car?
- 19 What if you're a pedestrian? So this would be a
- 20 pedestrian view, correct, not a car's view? So this
- 21 white car could see a car going towards Harvard Avenue,
- 22 would probably be able to see it, but it wouldn't be
- 23 able to see a pedestrian.
- MR. THORNTON: Right. But a pedestrian -- so

- 1 there's two different things going on here. But the
- 2 motorist that's coming out would be able to see a
- 3 pedestrian. They'll be stopping at the back of the
- 4 curb -- back of the sidewalk. And if there's
- 5 pedestrians on the sidewalk, then they yield to them.
- 6 So the issue with the sight distance for vehicles
- 7 approaching on Fuller Street is if they have sufficient
- 8 sight distance to see somebody exiting.
- 9 MS. BENNETT: Okay. Thank you. Mostly I
- 10 wanted to reiterate the point about the two loading
- 11 zones because I think that's the biggest issue.
- MR. GELLER: Thank you.
- MS. SCHNEIDER: Jim, would you mind jumping up
- 14 and addressing her question/comment about the two
- 15 commercial loading zones across the street from each
- 16 other.
- 17 MR. GELLER: Or even more broadly, you know,
- 18 you've got potentially two -- yeah, you've got egresses
- 19 approximate to each other, though across the street.
- 20 MS. SCHNEIDER: Is it a safety issue, I quess?
- 21 MR. GELLER: Is it a safety issue?
- MR. FITZGERALD: So can I first address her
- 23 topic -- her question having to do with visibility?
- So I believe the photo that she was referring

- 1 to was intended to be stopping sight distance. There
- 2 was a photo that was included in the supplemental
- 3 report that was taken along -- by the back of sidewalk
- 4 showing clear visibility up Fuller. And what that was
- 5 intended to show was that if that driver coming out
- 6 from the exit of the garage were to start protruding
- 7 into the sidewalk, into the street, that the vehicle
- 8 along Fuller would have plenty of visibility to see
- 9 that bumper and have adequate distance to stop. So
- 10 that's really what that photo was. It wasn't
- 11 necessarily -- correct me if I'm wrong. I don't think
- 12 it was necessarily intended to be the eye of the driver
- 13 leaving the garage. So that showed clear visibility.
- 14 So that would be what it would look like if you were
- 15 stopped on the sidewalk looking down the street and the
- 16 fence is way behind you.
- 17 So further back, it would be a little bit
- 18 different and probably not to that extent because you
- 19 would literally -- at that point, the car would be
- 20 almost protruding into the street further, so ...
- 21 So as far as the question having to do with
- 22 the offset driveways and the loading bays, again,
- 23 the -- I don't know what the requirements are for the
- 24 loading on the municipal parking lot on the other side

- 1 of the street, but this one, again, is intended to be
- 2 during off-peak periods.
- 3 It is possible that if there are maneuvers
- 4 coming in at the same time, will there be a bit of a
- 5 traffic jam, one having to wait for the other truck to
- 6 maneuver and get out? It is possible. I don't
- 7 anticipate -- I don't know if there are numbers that
- 8 identify how much truck traffic is anticipated to be
- 9 using those loading docks at this development.
- 10 However, I don't believe that it would be substantial.
- Do you have any sort of numbers to --
- MR. THORNTON: No. It would be -- it's a
- 13 residential development, so one every couple days,
- 14 depending on the trash pickup.
- 15 MR. ENGLER: FedEx every day.
- 16 MR. FITZGERALD: And the RE/MAX would have
- 17 some use there too.
- So I don't necessarily think it's a safety
- 19 issue as much as a logistics issue of vehicles having
- 20 to stop and wait for another truck to get out of the
- 21 way.
- MR. GELLER: Thank you.
- MS. PALMER: Hi. Julie Palmer, 48 Coolidge
- 24 Street.

- 1 I've come to all of these meetings, except the
- 2 last one when I was away, and thought about it a lot.
- 3 And my conclusion is that, you know, this would create
- 4 really huge additional problems on Fuller Street as
- 5 well as if things would change and, you know, we move
- 6 to Coolidge Street. It would be the same thing. Right
- 7 now we're hearing everything about Fuller Street
- 8 because the plan right now is to have the in and out on
- 9 Fuller Street.
- 10 And it is -- for those of us -- I've lived
- 11 there 17 years, on that end of Coolidge Street, and
- 12 it's just, you know, barely -- everything is working
- 13 right now, but barely, with the school children, the
- 14 older people, The Butcherie, and everything. And it's
- 15 working and it's a -- you know, it's a very nice
- 16 neighborhood. But we saw the backups on Fuller Street.
- 17 It's already pretty bad. And most of us never drive
- 18 down there because we know what it's going to be like.
- 19 So we -- you know, we go up Winchester and all of that.
- So, you know, it just -- the problem the last
- 21 person brought up I think is a huge one with the
- 22 loading zones. You know, I'm only sorry that my
- 23 neighbor back there took this approach of Fuller versus
- 24 Coolidge. Not very friendly, but if we -- I understand

- 1 it's not being considered by the developer to have the
- 2 entrance and egress on Coolidge. And, of course, I'm
- 3 happy -- I live directly across the street -- that my
- 4 neighbor wants that torn down. But we could certainly
- 5 provide you with 150 photos of what it looks like on
- 6 Coolidge. And I think some of you go down enough to
- 7 know.
- 8 I'll just mention that the largest problem
- 9 would be the loading zone at The Butcherie, which is --
- 10 contrary to what my neighbor said, the deliveries are
- 11 not all done before 7:00 a.m. Since I called the
- 12 police last year when they were being delivered before
- 13 7:00 a.m. across from my house, they do deliver before
- 14 7:00 a.m. down on Harvard Street. It's all unloaded
- 15 onto the sidewalk, and then right after 7:00 they get
- 16 the little truck and move it around. But then all day
- 17 long there are big trucks there delivering, you know,
- 18 all day.
- 19 So unfortunately, it's not going to help
- 20 things to move to the other side. I really think
- 21 that -- you know, I know no one likes to take a step
- 22 back when they have an idea, but it doesn't work. This
- 23 development just does not work in this neighborhood.
- 24 We've tried everything. You know, everyone in this

- 1 room has tried to make it work. And I just beg you to
- 2 recommended to the state that this is not appropriate
- 3 for 40B.
- 4 MS. SCHNEIDER: There are just a couple of
- 5 things I just want to say in response to that. I mean,
- 6 I think I speak for all of the members of this board
- 7 when I say that we greatly appreciate all of the
- 8 neighborhood feedback and we also appreciate the
- 9 efforts of the neighbors and the developer to try to
- 10 work together to come up with something.
- In terms of process, I just want to make clear
- 12 that we are working under the statutory mandate of
- 13 Chapter 40B of the general laws and regulations. We
- 14 don't make a recommendation to the state as to whether
- 15 or not this is an appropriate site for a 40B or for
- 16 this development in particular.
- 17 Our responsibility is to carry out the rules
- 18 and the regulations of 40B and to make a decision as
- 19 the zoning board, as the permitting authority for this
- 20 project, whether or not this project complies with the
- 21 rules and regulations. We're not making a
- 22 recommendation. At the end of the day, we will vote
- 23 either to approve this project as it is presented, to
- 24 deny the project, or to approve the project subject to

- 1 conditions that we think are important to be adequately
- 2 protective of the neighborhood but also consistent with
- 3 what we are required to do under the statute and
- 4 regulations.
- 5 MR. GELLER: Let me also add to that, and
- 6 we've said this also in the past. We don't design the
- 7 project. They do. And they come in and they propose
- what the project is, where they want their entrance, 8
- 9 where they want their egress. And when they present
- 10 it, we review that project. We don't design their
- project. Okay? So I just want to be clear. And I 11
- 12 want to thank Johanna for just clarifying what our role
- 13 is under 40B.
- 14 I'm Karen of Babcock. And I KAREN: Hi.
- 15 wanted to say the reason why this would be my choice to
- 16 live here is because it's -- you know, it's very
- 17 pleasant and it has a lot of transit.
- 18 As far as the traffic, well, anything goes in
- 19 And that's really where your problem is coming
- from, is that, you know, triple expansion from Boston 20
- 21 University with no parking included. They've displaced
- 22 me and now they've made traffic a nightmare for you as
- 23 well. They don't follow any of the traffic signs when
- 24 it says don't make a turn and they do anyway. And, you

- 1 know, it's -- that's where all the traffic is.
- I've seen many of the cars that go through
- 3 Brookline. They go to BU or they go around BU and then
- 4 they live in Brookline. I mean, how can you dump in
- 5 one area and live in another? It's really unfair, and
- 6 that's what you have here. That's where all your cars
- 7 are coming from.
- Because the other parts of the state are not
- 9 required to do anything that Brookline does. They
- 10 never provide parking. They omit parking the minute
- 11 they decide to build something.
- 12 And so comparing all these slides, as bad as
- 13 they may be, they're not even a tenth as bad as they
- 14 are near Commonwealth Avenue where anything goes. And
- 15 I've seen many of these cars from my neighborhood drive
- 16 into the border of Brookline and then take their nice
- 17 little key and get into their apartment.
- 18 And I wanted to also say that Trader Joe's,
- 19 being the good neighbor as opposed to the bad neighbor,
- 20 they also have deliveries -- a schedule where they
- 21 don't accept deliveries if they're before a certain
- 22 time or after a certain time, which, you know, could
- 23 also be more enforced.
- 24 And I really feel that, you know, I know -- I

- 1 understand that you don't want any new people in
- 2 Brookline or in Brookline proper. I mean, I -- you
- 3 know, I feel sort of the same as you do, that
- 4 everything is expanding, and I think --
- 5 MR. GELLER: Karen, let's focus on traffic.
- 6 KAREN: All right. Well, I just wanted to say
- 7 that I just feel that people without cars are being
- 8 punished for the misdeeds of everyone else. I don't
- 9 have a car. I don't plan to have a car.
- 10 And I also live in a perfect --
- 11 architecturally perfect building when you get upstairs,
- 12 and it could be modeled after that.
- 13 And don't forget your corporate social
- 14 responsibility. You know, we want places that we can
- 15 actually live. And you owe us because you'll be making
- 16 a lot of money, so -- in terms of the design of the
- 17 apartment and giving back to the community. Thank you.
- 18 MR. GELLER: Thank you.
- MR. ENGLER: Could I clarify something? We've
- 20 been accused of having a mindset that isn't true, so --
- 21 MS. SCHNEIDER: Can I just clarify something
- 22 first?
- 23 Karen, thank you for your comments, but I do
- 24 want to just make clear that the board and the Town of

- 1 Brookline are not benefiting from any of this.
- 2 MR. GELLER: Did you interpret that from --
- 3 MS. SCHNEIDER: I did.
- 4 KAREN: But you should know where the cars are
- 5 coming from, because that's the problem.
- 6 MR. ENGLER: Just one sentence.
- 7 MR. GELLER: One sentence? Sure. Does it
- 8 have a subject and a predicate?
- 9 MR. ENGLER: I'll try a parenthetical phrase.
- In August we were asked by the town to show
- 11 two plans. One was really a plan that was evolving.
- 12 It was not a serious plan. Unfortunately, that's
- 13 caused a lot of problems. We never intended to come
- 14 out on Coolidge. It's millions of dollars more to do
- 15 that. The plan, again, is the one we have.
- So we didn't pit the neighbors against each
- 17 other. We didn't kowtow to one street versus the
- 18 other. We made a plan that has realty to us and
- 19 financial feasibility, and that's what we've shown
- 20 here. So I'm sorry that people think we have another
- 21 real option, which we didn't. I just want to make that
- 22 clear.
- MR. GELLER: Thank you.
- 24 Anybody else want to speak?

- 1 (No audible response.)
- 2 MR. GELLER: No. Okay.
- 3 Our next hearing is November --
- 4 MS. POVERMAN: Can I say one thing?
- 5 MR. GELLER: Oh, Kate has something to say.
- 6 She doesn't want to leave before 9:00.
- MS. POVERMAN: I will talk for 25 minutes. 7
- 8 I think it might have been Mr. Gunning or
- 9 somebody else we got communication from who made a
- 10 suggestion, which I thought was brilliant, which is to
- 11 have a right turn only out of the -- not the project.
- 12 But that way you would avoid having traffic come and
- 13 try to break in on the left-hand side, which I think is
- 14 the biggest problem which is going to be proposed -- or
- 15 caused by the project. You know, it's not that hard to
- 16 go just zipping around the block in that area.
- 17 it would just solve a myriad of problems.
- 18 MR. GELLER: Well, let's --
- 19 MS. POVERMAN: -- let that sink in.
- 20 MR. GELLER: Yeah. I don't think we need to
- 21 talk about that now. I think it's -- you know, I think
- 22 it's a fair suggestion. I hadn't thought about it.
- don't know whether it resonates with me. 23 You can
- 24 certainly raise it again in a context --

```
1
            MR. GUNNING: I just want to say it was in the
   very first email I wrote.
 3
            MR. GELLER: I think at this point we don't
 4
   have to discuss it.
 5
            MS. POVERMAN: But anyway, if people would
6
   think about it and --
 7
            MR. GELLER: They don't have to think about
8
   it.
9
            MS. POVERMAN: I know. Let it percolate.
           MR. GELLER: I think that's it. So
10
   November --
11
            MS. MORELLI: November 2nd.
12
13
           MR. GELLER: -- 2nd, 7:00 p.m., and --
           MS. MORELLI: Cliff Boehmer.
14
15
            MR. GELLER: Cliff Boehmer who is our design
16
   peer reviewer.
17
             I want to thank everybody for their testimony
18
   and information. Have a good evening.
19
             (Proceedings adjourned at 8:56 p.m.)
20
21
22
23
24
```

1 I, Kristen C. Krakofsky, court reporter and 2 notary public in and for the Commonwealth of Massachusetts, certify: 3 That the foregoing proceedings were taken 4 before me at the time and place herein set forth and 5 that the foregoing is a true and correct transcript 6 7 of my shorthand notes so taken. I further certify that I am not a relative 8 9 or employee of any of the parties, nor am I 10 financially interested in the action. 11 I declare under penalty of perjury that the foregoing is true and correct. 12 13 Dated this 31st day of October, 2016. 14 useu C. Lakolski 15 16 Kristen Krakofsky, Notary Mublic My commission expires November 3, 2017. 17 18 19 20 2.1 22 23 24

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